

CHAPTER 9
PUBLIC PEACE AND GOOD ORDER
VILLAGE OF SLINGER, WASHINGTON COUNTY, WISCONSIN

ARTICLE 9.00 PUBLIC PEACE AND GOOD ORDER

9.00 PROHIBITED USE OF VILLAGE OWNED AND LEASED LAND.

- (A) As permitted by Wisconsin Statute 29.038(2)(b), the Village prohibits access for hunting and trapping in any portion of land that it owns or leases.

9.01 FIREARMS

- (A) Definition. A firearm is defined as a weapon which expels a missile by the explosive force of gun powder, compressed air or compressed gas.

- (B) Restriction on Use of Firearms. Firearms shall be discharged within the Village only in compliance with the following standards:

1. Law enforcement or military personnel in the performance of their duties.
2. All other persons shall obtain a written permit from the Village Police Department before discharging a firearm.

- (C) Permits Required.

1. No person may discharge any firearms in the Village of Slinger without obtaining a written permit from the Chief of Police or his authorized agent, and written permission by the landowner.
2. No firearms shall be discharged within 100 feet of any street, road or highway, nor within 300 feet of another person's occupied dwelling, in the Village, nor shall any permit be issued therefor.
3. A permit from the Chief of Police shall be required for the hunting or trapping of wild animals or birds causing damage to growing agricultural crops, or creating a public safety nuisance, as determined by the Department of Natural Resources. Anyone engaged in this activity shall comply with all State Statutes and Rules.

- (D) Permit Application. An application shall be submitted to the Police Department by a person wishing to discharge a firearm in the Village upon the forms provided by the Police Department.

1. The permit shall be carried by the person to whom it is issued at all times when discharging firearms and shall be exhibited to officers of the Police Department upon demand.

2. The permit for discharging weapons within the Village shall be issued for a specific period of time as determined by the Police chief or his/her authorized agent.
3. The annual fee for obtaining a firearms discharge permit shall be paid to the Slinger Police Department as follows:

(a)	Landowner/Tenant	No Charge
(b)	Slinger Resident	\$5.00
(c)	Non-Resident	\$10.00

(E) Liability Not Assumed.

1. The Village of Slinger does not assume any liability for damages to persons or property caused by the discharge of firearms.

(F) Penalty. As provided in Chapter 21 of the Municipal Code.

(G) Shooting Permit. No persons shall shoot, shoot at, pursue, take, catch, hunt or kill any wild animals in the Village of Slinger, unless a firearms discharge permit therefor has been duly issued to that person under 9.01 of this Code and said person has been issued a hunter's safety card and/or hunting license.

The Village Board, Chief of Police, or his authorized agents may revoke any permit issued hereunder, at any time, upon complaint lodged against any permit holder.

9.02 THROWING OR SHOOTING OF ARROWS, STONES PROHIBITED.

- (A) To further public health and safety no person shall throw or shoot any object, arrow, stone, or other missile or projectile, by hand, by firearm, by bow and arrow, by crossbow, by spring gun, by electric weapon, by slingshot, by blowgun or by any other means at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village.
1. Except when lawfully hunting with a bow and arrow or crossbow at a distance greater than 100 yards from a building located on another person's land, as described in Wisconsin Statute 29.038(3)(b)1.a. This restriction does not apply if the person who owns the land on which the building is located allows the hunter to hunt within 100 yards of the building. A person who hunts with a bow and arrow or crossbow within the Village of Slinger is required to discharge the arrow or bolt from the respective weapon toward the ground.

9.03 SALE AND DISCHARGE OF FIREWORKS RESTRICTED.

- (A) Definitions. For the purposes of this Section, the following definitions shall apply.

Fireworks. Fireworks means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, and specifically includes everything within the definition of “fireworks” as described within Section 167.10(1), Wisconsin Statutes, specifically including without limitation by reason of enumeration, subsections 1(e) (caps), 1(f) (toy snakes), 1(i) (sparklers), 1(k) (fuseless devices), 1(L) (smoke-producing devices), 1(m) (cylindrical fountains), and 1(n) (cone fountains).

Novelty Fireworks. Novelty Fireworks means only the following items:

- (1) Sparklers. A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects or to produce audible and visible effects.
- (2) Poppers. A device designed to spray out paper confetti or streamers and which contains less than one-quarter grain of explosive mixture.
- (3) Smoke balls. A device that is designed primarily to burn pyrotechnic smoke-producing mixtures, at a controlled rate, and that produces audible or visible effects, or audible and visible effects, and which contains less than one-quarter grain of explosive mixture.
- (4) Toy snakes. A toy snake which contains no mercury, and which contains not more than one-quarter grain of explosive mixture.
- (5) Punks. A substance that smolders when ignited that contains not more than one-quarter grain of explosive mixture, which is used to light fireworks, known as a punk.

Possession. Possession means the act, fact or condition of having control, custody, or care of fireworks; storage of fireworks; or handling of fireworks.

Public Display. A public display means use of fireworks at an event that is open to the public or to which the public may be invited, which may be on publicly owned or privately owned property, with or without charge.

- (B) Prohibition. All sale, possession or use of fireworks is prohibited in the Village of Slinger, subject to the exceptions noted in subsection (C).

- (C) Exceptions. The prohibitions of subsection (B) shall not apply in the following strictly limited circumstances:
- (1) In Transit. Possession of fireworks is not prohibited during transportation of the fireworks to a city, town, village or county where the possession of the fireworks is authorized by permit or ordinance, provided that the fireworks remain in the Village for a period of less than twelve (12) hours.
 - (2) Public Display. Upon petition to the Village Board, the Village Board may authorize public display of fireworks, and fireworks storage in preparation for the public display, subject to such reasonable conditions as the Village Board may impose. Refer to Ordinance 16.12, “Fireworks Display Permit” for information on the procedures for obtaining a display permit.
 - (3) Possession of Small Quantities of Novelty Fireworks. Novelty Fireworks may be possessed within the Village, provided that the total quantity of all such Novelty Fireworks on a single lot is less than 10 pounds gross weight, which includes the weight of all packaging material.
 - (4) Sale of Small Quantities of Novelty Fireworks. Novelty Fireworks may be sold within the Village, provided that the quantity limitations for possession of Novelty Fireworks described in subsection (3) shall be met by all sellers and purchasers of such items.
 - (5) Use of Small Quantities of Novelty Fireworks. Novelty Fireworks may be used within the Village, provided that the quantity limitations for possession of Novelty Fireworks described in subsection (3) shall be met by all users. The time, place and manner of use shall be such that it does not constitute a public nuisance in violation of Chapter 10 of this Code.
- (D) Seizure of Fireworks. The police department shall seize, at the expense of the owner, all fireworks stored, handled, sold, possessed or used by any person who violates this Section or state laws adopted herein. Such seized fireworks shall be destroyed after conviction for a violation or if no conviction occurs, shall be returned to the owner.
- (E) Penalties and Remedies. In addition to, and not the exclusion or prejudice of, such other penalties and remedies as may apply, any person who violates this Section shall be subject to the penalties and remedies set forth in Chapter 21 of the Village Code.

9.04 OBSTRUCTING STREETS AND SIDEWALKS PROHIBITED.

No person shall stand, sit, loaf or loiter or engage in any sport or exercise on any public street, sidewalk, bridge or public ground within the Village in such manner as to prevent or obstruct the free passage of pedestrian or vehicular traffic thereon or to prevent or hinder free ingress or egress to or from any place of business or amusement, church, public hall or meeting place.

9.041 REGULATION OF PLAY VEHICLES ON VILLAGE STREET & PUBLIC PARKS PROHIBITED.

- (A) For the purpose of this section, “play vehicles” shall consist of skateboards, scooters, inline skates, roller blades, roller skates and roller skis.
- (B) No person shall ride or operate a play vehicle on any street within the Village of Slinger.
- (C) No person shall ride or operate a play vehicle in any shelters, gazebos, basketball courts or parking lots of any Village park or in any public area where such activity is prohibited by notice posted on appropriate signs.
- (D) No person may ride or operate a play vehicle on the property of any person or business without the written permission of the property owner or the person in charge of the property.
- (E) Whenever any person is riding or operating a play vehicle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian.
- (F) Penalty. The penalty for violation of this provision shall be as provided in Chapter 21 of the Municipal Code.

9.05 LOUD AND UNNECESSARY NOISE PROHIBITED.

- (A) Generally. No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb a person of ordinary sensibilities in or about any public street, alley or park or any private residence.
- (B) Operation of Motor Vehicles. No person shall operate a motor vehicle so as to cause the tires thereof to squeal, the horn to blow excessively or the motor to race excessively.

- (C) Public Address Systems and Amplifiers. No person shall use or operate any P.A. system, amplifier or device which increases the volume of voice, music or other sounds so loud as to disturb the public peace or the quiet and peacefulness of the neighborhood.
- (D) Construction and Machinery Noise. Except for emergencies, between the hours of 9:00 P.M. to 6 A.M. no person shall operate any loud vehicles, residential lawn mowers, chainsaws or any other loud machinery.
- (E) Use of Dynamic Braking Devices Prohibited.
 - 1. Definition. A dynamic braking device, commonly referred to as “jake” brakes, “jacob’s” brake, engine brake or compression brake, means a device primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.
 - 2. Use Prohibited. No person shall use a motor vehicle within the village limits where the dynamic braking device is in any way engaged or activated on such motor vehicle or any unit a part thereof, except for emergency situations for the purpose of avoiding a collision with another object or vehicle.

9.06 LOITERING PROHIBITED.

- (A) Loitering or Prowling. No person shall loiter or prowl in a place at a time in a manner not usual for law-abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the person takes flight upon appearance of a police or peace officer, refuses to identify himself or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances makes it impracticable, a police or peace officer shall, prior to any arrest for an offense under this section, afford the person an opportunity to dispel any alarm which would otherwise be warranted, by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this subsection if the police or peace officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the person was true and, if believed by the police or peace officer at the time, would have dispelled the alarm.

(B) Obstruction of Highway by Loitering.

No person shall obstruct any street, bridge, sidewalk or crossing by lounging or loitering on or upon the same after being requested to move on by any police officer.

(C) Obstruction of Traffic by Loitering.

No persons shall loaf or loiter in groups or crowds upon the public streets, alleys, sidewalks, street crossings or bridges or in any other public place within the Village in such a manner as to prevent, interfere with or obstruct the ordinary free use of such public streets, sidewalks, streets, street crossings and bridges or other public places by persons passing along and over the same.

(D) Loitering after Being Requested to Move.

No person shall loaf or loiter in groups or crowds upon the public streets, sidewalks or adjacent doorways or entrances, street crossings or bridges or in any other public place or on any private premises without invitation from the owner or occupant, after being requested to move by any police officer or by any person in authority at such places.

(E) Loitering in Public Places.

No person shall loiter, lounge or loaf in or about any depot, theater, dance hall, restaurant, store, public sidewalk, public parking lot or other place of assembly or public use after being requested to move by any police officer. Upon being requested to move, a person shall immediately comply with such request by leaving the premises or area thereof at the time of the request.

(F) Loitering in or on School Property.

No person not in official attendance or on official school business shall enter into, congregate, loiter, wander, stroll, stand or play in or on any school property within the Village between 7:00 a.m. and 4:00 p.m. on official school days.

9.065 STORAGE OF JUNK, ETC., DISCARDED PROPERTY REGULATED

- (A) No person shall store junked or discarded property, including, without limitation, automobiles, automobile parts, trucks, tractors, refrigerators, furnaces, washing machines, stoves, machinery or machinery parts, wood, bricks, cement blocks, or other unsightly debris, except in an

enclosure/building which houses such property from public view, or upon permit issued by the Village Board.

- (B) The Building Inspector may require by written order any premises violating this section to be put in compliance within the time specified in such order and if the order is not complied with, may issue a citation for such a violation of this section or proceed to abate the nuisance pursuant to this code.

9.07 LITTERING PROHIBITED

(A) Littering Prohibited.

No person , firm or corporation shall deposit any mud, glass, refuse or waste, filth, grass clippings, leaves or other litter upon the streets, highways, alleys, sidewalks, parks or other property of the Village or upon any private property or into or upon any body of water or stream within the Village.

1. Construction. At the time of the issuance of a building permit for a home, or other major construction requiring excavation \$250.00 a deposit is to be paid to the Clerk of the Village and refunded only if an occupancy permit is issued or final inspection is made for said construction, without a violation of this ordinance. Upon issuance of a citation the \$250.00 deposit will be forfeited to the Village.
2. Enforcement. It shall be the duty of the Director or Superintendent of Public Works of the Village Highway Department to report any violation of this section to the police department for issuance of a citation either to the violator or, in the case of construction work, if the violator is not known, a citation shall be issued to the building permit holder.
3. Penalty. Any person, firm or corporation found guilty of violating this section of the code shall be fined not less than \$200.00. Each day of violation continues shall constitute a separate violation.

(B) Removal of Snow & Ice From Sidewalks

1. Duty of Owner or Occupant. The owner or occupant of any lot or lands within the Village abutting upon a public street along the line of which a sidewalk shall have been constructed shall, whenever such sidewalk shall become encumbered with snow or ice, clear the same therefrom within 24 hours after the cessation of each storm. In case it is impossible or impractical to remove the ice therefrom, he shall treat

the same with sand or salt or some other substance continuously until removed so that such sidewalk will not be slippery or dangerous to pedestrians. In case of the failure of any such owner or occupant to remove such snow or ice from such sidewalk or to treat such ice as hereinbefore set forth within the time aforesaid, it shall be the duty of the Director or Superintendent of Public Works to do so and the expense of such removal or treatment shall become a special tax charge against the property, to be collected in the manner hereinafter specified.

2. Deposit of Snow or Ice. No person shall deposit or cause to be deposited any snow or ice upon any sidewalk or upon the paved portion of any street, alley or highway in the Village except as follows:
 - a. The subsection does not apply to Village employees in the course of their employment by the Village.
 - b. Persons cleaning snow or ice from sidewalks, as required by sub (1) above, where the sidewalk abuts the paved portion of a street on one side and abuts a building on the other may deposit the snow or ice on the street as near as possible to the curb.
3. Discharge of Water. No person shall cause or permit water to be discharged from a sump pump, downspout, or other source in such a manner that it causes ice to form on any sidewalk, street, alley or other public way.
4. Removal by Village. If snow or ice is not removed from sidewalks or treated as required by sub. (1) above, or if snow or ice is deposited on any sidewalk, alley, parkway, public place or street in the Village in violation of sub (2) or (3) above, the Village may remove or cause to be removed all such snow or ice and the person in charge of the premises from which the snow or ice accumulated or from which the snow or ice was removed and so deposited or from which the water was discharged shall be charged for the cost of such removal. If not paid within 30 days, such charges shall be placed on the tax roll, pursuant to State Statute 66.0627.
5. Penalty. For violations of this section, the Village may, as an alternative to or in addition to taking the action specified in sub. (4) above, impose a penalty pursuant to sec. 9.22 of the Code.

9.08 OBEDIENCE TO OFFICERS

No person shall resist or in any way interfere with any officer of the Village while such officer is doing any act in his official capacity and with lawful authority, or shall refuse to assist an officer in carrying out his duties when so requested by the officer.

9.09 OPEN CISTERNS, WELLS, BASEMENTS OR OTHER DANGEROUS EXCAVATIONS PROHIBITED.

No person shall have or permit on any premises owned or occupied by him any open cisterns, cesspools, wells, unused basements, excavations or other dangerous openings. All such places shall be filled, securely covered or fastened, in such manner as to prevent injury to any person and any cover shall be of a design, size and weight that the same cannot be removed by children.

9.10 ABANDONED OR UNATTENDED ICE BOXES, ETC., PROHIBITED

No person shall leave or permit to remain outside of any dwelling, building or other structure, or within any unoccupied or abandoned, unattended or discarded ice box, refrigerator or other container which has an airtight door or lid, snap lock, or other locking device which may not be released from the inside without first removing such door or lid, snap lock or other locking device from such ice box, refrigerator or container unless such container is displayed for sale on the premises of the owner or his agent and is securely locked or fastened.

9.11 CURFEW

(A) Children in Street at Night

1. No person under the age of 18 years shall loiter, idle whether on foot or in any means of transportation or remain upon any street, alley, or other public grounds in the Village between the hours of 11:00pm and 5:00am of the following day, Sunday through Thursday, and between 11:00pm and 5:00am Friday and Saturday, unless such child is accompanied by his/her parent, guardian or other adult person having legal custody of such child.
2. Exceptions. This section does not apply to a child:
 - (a) Performing an errand as directed by parents, guardian or persons having lawful custody.

- (b) Who is on his/her own premises or the areas immediately adjacent thereto.
- (c) Whose employment makes it necessary to be upon the streets, alley, public places or in a motor vehicle after such hour.
- (d) Returning home from a supervised school, church or civic function.

These exceptions, however, shall not permit a child to unnecessarily loiter about the streets, alleys, or public grounds or be in a parked motor vehicle on the public street.

(B) Parental Violation

No parent, guardian, or other person having legal custody of a child under the age of 18 years shall permit or suffer such child to loiter, idle, or remain upon any street, alley, or other public grounds in the Village between 11:00pm and 5:00am of the following day, Sunday through Thursday and 11:00pm and 5:00am Friday and Saturday unless such child is accompanied by his/her parent, guardian or other adult person having legal custody of such child.

(C) Responsibility of Operations of Places of Amusement

No person operating a place of amusement or entertainment within the Village, or any agent, servant or employee of any such person, shall permit a child under the age of 18 years to enter or loiter in such place of amusement or entertainment between 11:00pm and 5:00am of the following day, Sunday through Thursday, and between the hours of 11:00pm and 5:00am of the following day Friday and Saturday, unless such child is accompanied by his/her parent, guardian or other adult person having legal custody of such child.

(D) Responsibility of Hotels, Motels, and Rooming Houses

No person operating a hotel, motel, lodging or rooming house within the Village, or any agent, servant or employee of any such person, shall permit a child under the age of 18 years to enter loiter in such place of amusement or entertainment between the hours of 11:00pm and 5:00am of the following day, Sunday through Thursday and between 11:00pm and 5:00am Friday and Saturday, unless such child is accompanied by his/her parent, guardian or other adult person having legal custody of such child.

(E) Loitering in or on School Property

No person whether on foot in motor vehicle , not in official attendance or on school business, shall enter into, congregate, loiter, wander, stroll, stand or play in or on any school property within the Village between 7:00am and 4:00pm on official school days.

(F) Detaining a Child

A child believed to be violating the provisions of this section shall be taken to the Village Police Station or the Washington County Sheriff's Department for proper identification. Every law enforcement officer while on duty may detain any child violating subs. (1), (3), (4), and (5) until such time as the parent, guardian, or other adult person having legal custody of the child shall be immediately notified and the person so notified shall, as soon as reasonably possible thereafter, report to the Police Department or the Washington County Sheriff's Department for the purpose of taking the child into custody and shall sign a release for him/her.

(G) The first time a child is detained by law enforcement officers as provided in Sub. (F), parent, guardian, or person having legal custody shall be advised as to the provisions of this section and any violation of this section occurring thereafter by this child or any other child under his/her care or custody, shall result in a penalty being imposed as herein provided.

(H) General Penalty

1. Any parent, guardian or person having legal custody of a child described in Subs. (A), (C), (D), and (E), who has been warned in the manner provided in Sub. (G), and who thereafter violated any of the provisions of this section shall be subject to a penalty provided in S21.04 of this municipal code.
2. Any child who violated this section after being detained and released under Sub. (F) shall be dealt with under Chapter 48, Wis. Stats.

9.12 TRESPASSING

No person shall enter or be upon the lands or premises owned or lawfully occupied by another within the Village without the consent or permission of the owner or occupant.

9.13 LIBRARY REGULATIONS

(A) Materials Loan/Return

No person shall fail, on demand, to return any book, periodical, pamphlet, picture, or other article or property belonging to or in the charge of the Slinger Community Library. No person shall remove from the Library any book, periodical, pamphlet, article or property belonging to or in charge of the Slinger Community Library without first having it checked out by Library staff.

(B) Overdue Fines

Fines on overdue materials of the Slinger Community Library shall be levied as follows:

1. \$0.05 per day per item for books, audio books, books with cassettes, and magazines;
2. \$2.00 per day per item for videos; and
3. \$0.25 per day per item for Inter Library Loan (ILL) materials, unless lending library charges more.

(C) Damaging Materials Prohibited

No person shall mar, deface or in any way damage or mutilate any book, periodical, pamphlet, picture, or other article or property belonging to or in the charge of the Slinger Community Library.

(D) Lost/Damage Material Charges

Charges for lost/damaged materials shall be at the discretion of the Library Director and based on the replacement cost of the items. In the event that a set of materials must be purchased to replace the lost/damaged item, the person responsible for the loss/damage shall be responsible for the cost of the replacement set. The remaining materials of the partial set shall become the property of the person responsible for the loss/damage.

1. In the event that the item damaged is repairable, the Library Director shall charge a fee to the person responsible for the damage. Said repair fee shall be a minimum \$0.50.

(E) Return of Library Materials

1. All materials on loan from the library shall be returned to the library during normal library business hours.

2. The library has made available a book drop in the front foyer of the Municipal Building. For your convenience, clients may return books, videos, and other items in the book drop only when the library is closed.
3. Library materials not properly returned as outlined in subsections 1 and 2 above, shall be subject to any fines and fees contained in this section.

(F) Photocopier Charges

1. All personal copies shall be made at the rate established annually by the Village Board.
2. Photocopies of tax forms shall be \$0.10 per copy.
3. Photocopies of non-circulating items shall be \$0.10 per copy.

(G) Appeals

Any person may appeal a charge or fine in writing to the Village of Slinger Community Library Board. Appeals must be received in writing by the Wednesday preceding the Library Board meeting the person wishes the matter to be heard.

SECTION 9.14 TRUANCY

(A) Definitions.

1. “Truant” is defined to mean a pupil who is absent from school without an acceptable excuse for all or part of any day on which school is held during a school semester.
2. “Habitual truant” is defined to mean a pupil who is absent from school without an acceptable excuse part or all of five or more days on which school is held during a school semester.
3. “Acceptable excuse” shall mean an acceptable excuse as defined in WI State Statutes Sections 118.15 and 118.64(4).
on the public street.

(B) Truancy or Habitual Truancy Prohibited.

1. A child is prohibited from being a truant or habitual truant.
2. Upon finding that a child is truant, the court may enter an order making one or more of the following dispositions:

- a) An order for the period to attend school.
 - b) A forfeiture of not more than \$50.00 plus costs for a first violation or a forfeiture of not more than \$100.00 plus costs for any second or subsequent violation committed within 12 months of the first. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.
3. Upon finding that a child is a habitual truant, the court may enter an order making one or more of the following dispositions:
- a) Suspend the person's operating privilege for not less than 30 days nor more than one year.
 - b) An order for the person to attend school.
 - c) A forfeiture of not more than \$205.00 plus costs, which may be assessed against the person, the parents or guardian of the person, or both.
 - d) Other reasonable conditions including a curfew, restrictions regarding going to or remaining on specified premises, and restrictions as to associating with other children or adults.
 - e) An order placing the person under formal or informal supervision for a period of up to one year.
 - f) An order for the person's parent, guardian or legal custodian to participate in counseling at their expense or to attend school with the person or both.
 - g) Any other sanctions as provided in WI State Statutes Section 118.163.

9.15 ABANDONED VEHICLE

(A) Vehicle Abandonment Prohibited.

1. No person, firm, partnership, or corporation shall accumulate or store any junked, unlicensed, or inoperable motor vehicle, trailer, semi-trailer, mobile home, or parts thereof, outside of any building on any real estate, either public or private, located within the corporate limits of the Village, except upon a permit issued by the Village Planning Commission in accordance with Chapter 31 of the Municipal Code of Ordinances. When any motor vehicle,

trailer, semi-trailer, mobile home, or parts thereof, have been left unattended in the Village for more than 24 continuous hours, the vehicle is deemed abandoned and constitutes a public nuisance.

2. **Penalty.** Any person, firm, partnership, or corporation violating the provisions hereof shall, upon conviction, be fined, as provided in Chapter 21 of the Municipal Code, for each offense, and in default of payment of said fine, shall be imprisoned in the County jail for a period not exceeding 30 days. Each day that the motor vehicle, trailer, semi-trailer, mobile home, or parts thereof, shall be stored contrary to the provisions hereof, shall constitute a separate and distinct offense.

(B) Removal of Abandoned Vehicles.

In addition to issuing citations as provided herein, the Chief of Police may cause the abandoned motor vehicle, trailer, semi-trailer, mobile home, or parts thereof, to be removed to a suitable place of impoundment within 5 days of the date of notice to remove said vehicle. The cost of such removal will be charged to the owner of the vehicle or the owner of the property from which it is removed.

(C) Administrative Review.

Within 5 days of receipt of the notice to remove the vehicle, a notified party may request a hearing before the Village Clerk on the issue of whether the vehicle may be towed by the Village.

(D) Disposition of Impounded Vehicles.

Any motor vehicle, trailer, semi-trailer, mobile home, or parts thereof, shall be impounded until lawfully claimed or disposed of as provided in this ordinance except if it is deemed by a duly authorized Village representative that the cost of towing and storage charges for the impoundment would exceed the value of the property impounded, the property may be junked or sold by the Village prior to expiration of the impoundment period upon determination by the Chief of Police having jurisdiction that the property is not stolen or otherwise wanted for evidence or any other reason. All substantially complete vehicles in excess of 19 model years of age shall be disposed of in accordance with Wisconsin Statutes Section 342.40(3) (C).

(E) Cost.

The owner of any abandoned motor vehicle, trailer, semi-trailer, mobile home, or parts thereof, except stolen property, is responsible for abandonment and all costs of impounding and disposing of the vehicle. If the owner of any abandoned vehicle cannot be ascertained, the cost of such removal will be charged to the owner of the property from which such items are removed. Costs not recovered from the sale may be recovered in a civil action by the Village against the owner of the vehicle or placed on the tax roll as special assessment against the property pursuant to Chapter 66 of the Wisconsin Statutes.

9.16 DRINKING ON PUBLIC STREET, PROHIBITED.

- (A) It shall be unlawful for any person to drink, consume, transport, carry or possess any intoxicating liquor, wine or fermented malt beverage, except in the original package and with the seal unbroken, either in or out of a vehicle in any of the following places:
1. Any Village owned or controlled parking lot.
 2. Any public street, highway, alley, sidewalk or other similar place within the Village of Slinger.
 3. Any privately owned parking lot, driveway or lot used for vehicular traffic and/or vehicular parking with the express or implied permission of the owner for said use.
 4. Any grounds under the control of the Slinger school District; and the grounds of any privately owned and operated school, church, hospital, or other institution frequented by the public, unless expressly authorized by the owner thereof.
- (B) The holder of a Class “B” fermented malt beverages or intoxicating liquor license shall make every reasonable effort to discourage his patrons from taking fermented malt beverages or discourage his patrons from taking fermented malt beverages or intoxicating liquors or wine from the licensed premise when such beverages are served for consumption on premises.
- (C) All premises licensed for the sale of fermented malt beverages, wine or intoxicating liquor shall post a notice at each exit stating the “No Beer, Liquor or Wine may be carried in an open container out of the building.
- (D) The Village Board of the Village of Slinger may permit the consumption or possession of fermented malt beverages, wine or intoxicating liquors in specifically authorized public places, or at any event, for which a temporary “picnic” license has been issued.

(E) Penalty.

Any person who violated any provisions of this ordinance shall be subject to a penalty as provided in this Municipal Code Chapter 21.04. First offense, forfeiture of not less than \$5.00 nor more than \$500.00. Deposit, \$75.00. Second offense, forfeiture of not less than \$10.00 nor more than \$500.00. Deposit \$150.00.

9.17 DRUG PARAPHERNALIA

(A) Definition.

In this section “Drug Paraphernalia” means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body controlled substance, as defined in Wisconsin Statutes Chapter 161 in violation of this section. It includes, but is not limited to:

1. Kits used, intended for use or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.
2. Kits used, intended for use or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.
3. Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance.
4. Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity or controlled substances.
5. Scales and balances used, intended for use or designed for use in increasing the potency of any species of plant which is controlled substances.
6. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use or designed for use in cutting controlled substances.

7. Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.
8. Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances.
9. Containers and other objects used, intended for use or designed for use in packaging small quantities of controlled substances.
10. Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances.
11. Hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body.
12. Objects used intended for use or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, including but not limited to:
 - a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls.
 - b) Water pipes.
 - c) Carburation tubes and devices.
 - d) Smoking and carburation masks.
 - e) Objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand.
 - f) Miniature cocaine spoons and cocaine vials.
 - g) Chamber pipes.
 - h) Carburetor pipes.
 - i) Electric pipes.
 - j) Air-Driven pipes.
 - k) Chillums.
 - l) Bongs.
 - m) Ice pipes or Chillers.

- (B) Determination of drug paraphernalia. In determining whether an object is drug paraphernalia, the following shall be considered:
1. Statements by an owner or any anyone in control of the object concerning its use.

2. Prior convictions, if any, of an owner or of anyone in control of the object, under any county, state or federal law relating to any controlled substance.
3. The proximity of the object in time and space to a direct violating of this section.
4. The proximity of the object to controlled substances.
5. The existence of any residue of controlled substances on the object.
6. Direct or circumstantial evidence of the intent of an owner or of anyone in control of the object to deliver it to persons whom the person knows, or should reasonably know, intend to use the object to facilitate a violation of this section. The innocence of an owner or of anyone in control of the object as to a direct violating of this section shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia.
7. Oral or written instructions provided with the object concerning its use.
8. Descriptive materials accompanying the object which explain or depicts use.
9. National and local advertising concerning its use.
10. The manner in which the object is displayed for sale.
11. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise.
12. The existence and scope of legitimate uses for the object in the community.

(C) Prohibited Activities:

1. Possession of drug paraphernalia. No person may use, or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of this section.
2. Manufacture, sale or delivery of drug paraphernalia. No person may sell, deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of this section.
3. Exemption. This subsection does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons who conduct is in accordance with Wisconsin Statutes Chapter 161.
4. Any drug paraphernalia used in violation of this section shall be seized and forfeited to the Village as provided in Municipal Code.

9.18 SMOKING PROHIBITED IN CERTAIN PREMISES

(A) Section 101.123 Wisconsin Statutes, including such amendments, renumbering and recodification as may be made thereto from time to time, is hereby adopted by reference, with the exception of the maximum penalties for violation described therein.

(B) Penalties and Remedies. Any person who violates this section or the State laws incorporated herein, shall be subject to the penalties and remedies as provided in Section 21.04 of the Village Code, provided that any forfeiture imposed shall not be less than the minimum forfeiture described in Wisconsin Statutes Section 101.123(8).

9.19 PURCHASE AND POSSESSION OF CIGARETTES AND TOBACCO PRODUCTS PROHIBITED.

(A) In this section:

1. "Cigarette" means any roll of tobacco wrapped in paper or any substance other than tobacco.
2. "Law Enforcement Officer" means any person employed by the state or any political subdivision of the State for the purpose of detecting and preventing crime and enforcing Laws or Ordinances he/she is employed to enforce.
3. "Tobacco Products" means cigars; cheroots; stogies; periques; granulated plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but "Tobacco Products" does not include cigarettes, as defined above.

(B) Except as provided in Sub. (C), no person who is less than 18 years of age may do any of the following:

1. Buy or attempt to buy any cigarette or tobacco product.
2. Falsely represent his/her age for the purpose of receiving any cigarette or tobacco product.
3. Possess any cigarette or tobacco product.

(C) A child may purchase or possess cigarettes or tobacco products for the sole purpose of resale in the course of employment during his/her working hours is employed by a retail licensed under Section 134.65 (1) Wisconsin Statutes.

- (D) A law enforcement officer shall seize any cigarette tobacco product involved in any violation of Sub. (B) committed in his/her presence.
- (E) Any person who violates the provisions of this ordinance shall be subject to a penalty as provided in Section 21.04 of the Village Code.

9.20 MISUSE OF E911

- (A) No person shall utilize the E911 Emergency Telephone Number system for any purpose other than to report an emergency.
- (B) It shall be unlawful to report an alleged emergency knowing that the fact situation which he/she reports does not exist.
- (C) An “emergency” under this section exists when the person reasonably believes that immediate response by public safety personnel is essential due to the risk or actual occurrence of:
 - 1. Death or great bodily harm.
 - 2. Property Damage.
 - 3. Any other situation which mandates the immediate response of public safety personnel.
- (D) Any person violating this section shall, upon conviction, be subject to a forfeiture of not more than \$200 together with the costs of prosecution.

9.21 OFFENSES AGAINST STATE LAW SUBJECT TO FORFEITURE STATE STATUTES CHAPTERS 23 THROUGH ALL OF CHAPTER 968

Offenses against State Law subject to forfeiture. The following statutes following the prefix “9” (9.23.00 through all of Chapter 9.968) are adopted by reference to define offenses against the peace and good order of the Village, provided the forfeiture imposed under this Municipal Code.

9.22 PENALTIES.

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in this Municipal Code. In addition to any penalty imposed for violations of S9.943.01(1) any person who shall cause physical damage to or destroy any public property shall be liable for the cost of replacing or repairing such damaged or destroyed property. The parent or parents of any unemancipated minor child who violated S9.943.01(1) may also be held liable for the cost of

repairing such damaged or destroyed property in accordance with S895.035, Wisconsin Statutes.

(A) Juvenile Penalty.

1. Definition. “Juvenile” means a person who is 12 years of age or older, but less than 17 years of age.
2. Penalty. Any juvenile who violated any provision of this code, or any rule or regulation adopted or issued pursuant hereto, or any provision of any code adopted herein by reference; upon conviction of such violation shall be subject to imposition of any of the dispositions set forth in Secs. 938.343 and 938.344, Wis. Stats., in accordance with the provisions of those sections. Any juvenile who violates a condition of a dispositional order under Secs. 938.343 or 938.344, Wis. Stats., upon adjudication of such violation, shall be subject to imposition of any of the sanctions set forth in Sec. 938.355(6)(d), Wis. Stats., in accordance with the provisions of that section.

9.23 ULTIMATE OR EXTREME FIGHTING EVENTS PROHIBITED

In this section, “ultimate or extreme fighting event” means a fighting bout or tournament that meets the following criteria:

1. A state license under ch. 444, Wis. Stats. has not been issued for the event.
2. Participants use any combination of boxing, kicking, wrestling, hitting, punching or other combative contact techniques, which combination of techniques is not specifically authorized by and conducted pursuant to ch. 444, Wis. Stats.

No person shall operate, maintain, attend, participate in, promote or assist in operating, maintaining, attending participation in or promoting an ultimate or extreme event held within the Village of Slinger.

A person who violates this section shall upon conviction be subject to a forfeiture in accordance with the bond schedule approved by the Village of Slinger.

9.24 SCAVENGING OF GARBAGE OR RECYCLABLES PROHIBITED

It shall be unlawful for any person other than authorized Village employees or a person(s) having written authorization for the Director of Public Works or Police Chief to go through, sort or take anything from any garbage, refuse or recyclable materials that have been set out in bags or other approved containers for the

purpose of being picked up by Village contracted collection personnel or contractors.

9.25 ESTABLISHING FEE FOR SERVICE OF WARRANTS OR COMMITMENT ORDERS

Pursuant to the provisions of Wis. Stats. §§ 814.65(4)(b), 814.70, 814.705 and 814.71 the Village of Slinger Police Department shall charge a service fee of \$35 when the village police serve a warrant or commitment order upon a person. The person served with the warrant or commitment order shall be responsible for the payment of the warrant or commitment order service fee. The service fee may be collected as a court cost through the court.

(A) Multiple Warrants. The Village of Slinger Police Department shall charge a separate fee for each warrant or commitment order served on a person.

(B) Disposition of Fees. Upon collection by the court, all warrant or commitment order service fees shall be forwarded by the court to the Village Treasurer.

9.26 SYNTHETIC CANNABINOID PROHIBITED

1. Prohibition. It shall be unlawful for any person to possess any one or more of the controlled substances referenced in Wisconsin Statutes Section 66.0107(1)(bn), including such amendments, recodification, and renumbering as may be made thereto from time to time in the future. Notwithstanding the foregoing, the statutory limitations against local enforcement regarding repeat offenders shall apply, as described in said statute.
2. Penalties.
 - (A) Any chemical used in violation of this section shall be seized and forfeited to the Village.
 - (B) Any person who violates sub. (1.) shall, upon conviction, be subject to a penalty as described in Section 21.04 of this Code, provided further that the forfeiture shall be not less than \$100.00, and the penalties may also include such other sanctions as provided in WI State Statutes 961.41 (3g)(em), excluding imprisonment. The Code and Statute references herein shall include such amendments, recodification and renumbering as may be made from time to time in the future.